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Attorneys for Plaintiffs VERONICA GUTIERREZ, ERIN  
WALKER and WILLIAM SMITH, on behalf of themselves  
and all others similarly situated,

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VERONICA GUTIERREZ, ERIN WALKER and  
WILLIAM SMITH, as individuals, and on behalf  
of all others similarly situated,

Plaintiffs,

v.

WELLS FARGO & COMPANY, WELLS  
FARGO BANK, N.A., and DOES 1 through 125,

Defendants.

Case No.: C 07-05923 WHA (JCSx)

Judge Assigned: Hon. William H. Alsup

**PLAINTIFFS' ADMINISTRATIVE  
REQUEST TO FILE PORTIONS OF  
PLAINTIFFS' MOTION FOR CLASS  
CERTIFICATION UNDER SEAL;  
SUPPORTING DECLARATION OF  
RICHARD D. McCUNE; [PROPOSED]  
ORDER**

**DATE: August 21, 2008**

**TIME: 8:00 a.m.**

**DEPT: Courtroom 9, 19th Floor**

Original Complaint filed: November 21, 2007

Pursuant to Civil L.R. 79-5, named Plaintiffs Veronica Gutierrez, Erin Walker, and William Smith, on behalf of themselves and all others similarly situated, request the Court order that portions of Plaintiffs' Motion for Class Certification ('Class Cert. Motion'), and certain exhibits attached to the Declaration of Richard D. McCune in Support of Motion for Class Certification ("McCune Declaration") be filed under seal, based on this Administrative Request, the supporting Declaration of Richard D. McCune In Support of Plaintiffs' Administrative Request to File Portions of Plaintiffs'

1 Motion for Class Certification Under Seal ("McCune Admin. Decl."), and a [Proposed] Order, attached  
2 herewith.

3 Under Civil Local Rule 79-5, a document may only be filed under seal upon a showing of good  
4 cause.

5 Certain portions of the Class Cert. Motion refer to or contain information that was designated as  
6 confidential by Defendant Wells Fargo Bank, N.A., pursuant to the Stipulated Protective Order in this  
7 case. *See McCune Admin. Decl.* ¶ 2. Plaintiffs are lodging herewith a redacted version of the Class  
8 Cert. Motion. *See McCune Admin. Decl.* ¶ 2.


9 Certain Exhibits of the McCune Declaration refer to or contain information that was designated  
10 as confidential by Defendant Wells Fargo Bank, N.A., pursuant to the Stipulated Protective Order in this  
11 case. *See McCune Admin. Decl.* ¶ 3. Plaintiffs are lodging herewith a redacted versions of those  
12 exhibits which only partially contain confidential information. For exhibits that consist of entirely  
13 confidential documents, good cause exists to seal those exhibits of the McCune Declaration. *See*  
14 *McCune Admin. Decl.* ¶ 3.

15 Accordingly, Plaintiffs respectfully request the Court order that certain portions of the Class  
16 Cert. Motion and certain exhibits of the McCune Declaration be filed under seal, as specified in the  
17 attached [Proposed] Order. Plaintiffs take no position at this time as to whether the information is  
18 entitled to remain sealed.

19  
20 DATED: July 10, 2008

McCUNE & WRIGHT, LLP

21  
22 BY:

  
Richard D. McCune  
Attorney for Plaintiffs